

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Paul L. Maloney

v.

Case No. 1:21-cr-00187

BRADLEY PATRICK KEARNS,

Defendant.

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ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in a four-count Indictment. Counts 1-3 charge him with distribution of methamphetamine, in violation of 21 U.S.C. § 41(a)(1) and (b)(1)(B)(vii), and count 4 charges defendant with possession with intent to distribute methamphetamine, in violation 21 U.S.C. § 841(a)(1) and (b)(1)(B)(vii). Given the nature of the charges, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis that he is a danger to the community, 18 U.S.C. § 1342(f)(1) and that he poses a significant risk of non-appearance, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing on November 1, 2021, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the statutory

presumption of detention as to significant risk of flight, but not with respect to danger to the community. The Court also finds, however, as explained on the record, that the government has met its burden by clear and convincing evidence that he poses a danger to the community, and that there is no condition or combination of conditions that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on November 2, 2021.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge